

JC10 Rec'd PCT/PTO 23 NOV 2001
09/979558

Customer No. 22,852
Attorney Docket No. 04853.0082

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Akihiko MARUYAMA et al.)
Serial No.: Not Yet Assigned) Group Art Unit: Not assigned
Filed: November 23, 2001) Examiner: Not assigned
U. S. National Phase Application No.)
PCT/JP00/3372)

For: NOVEL PSYCHROTROPHIC
BACTERIUM AND DNA
PROBE FOR DETECTING THE
BACTERIUM

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO-1449. Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO-1449 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the

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documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 23, 2001

By:


Ernest F. Chapman
Reg. No. 25,961

Enclosures
EFC/FPD/dvz

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INFORMATION DISCLOSURE CITATION

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| Atty. Docket No. | 04853.0082 | Serial No. |
| Applicant | Akihiko MARUYAMA et al. | |
| Filing Date | November 23, 2001 | Group: Not assigned |

U.S. PATENT DOCUMENTS

| Examiner Initial* | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate |
|-------------------|-----------------|------------|------|-------|-----------|----------------------------|
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FOREIGN PATENT DOCUMENTS

| | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| | Maruyama, Akihiko, et al. "Phylogenetic analysis of Psychrophilic Bacteria Isolated From the Japan Trench, including a description of the deep-sea species <i>Psychrobacter pacificensis</i> sp. nov.", International Journal of Systematic and Evolutionary Microbiology 50, pp. 835-846, (2000). |
| | Maruyama, A. et al., "Low-temperature Adaption of Deep-sea Bacteria Isolated from the Japan Trench", Marine Biology 128: pp. 705-711, (1997). |
| | Bowman, John P. et al., "Novel <i>Psychrobacter</i> Species from Antarctic Ornithogenic Soils", International Journal of Systematic Bacteriology, pp. 841-848 (1996). |
| | Bowman, John P. et al., "Diversity and Association of Psycxhophilic Bacteria in Antarctic Sea Ice", Applied and Enviromental Microbiology, pp. 3068-3078, (1997). |

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|---|-----------------|
| Examiner | Date Considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

Form PTO 1449

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